



**Office of the New York State
Attorney General**

**Letitia James
Attorney General**

February 7, 2025

Via CM/ECF

Hon. Elizabeth A. Wolford
Chief United States District Judge
Western District of New York
100 State Street
Rochester, New York 14614

Re: *Glidedowan, LLC v. NYS Dep't of Health et al.*, Civ. No. 24-cv-6731

Dear Judge Wolford:

Given the Court's inquiry at oral argument on February 5, 2025, into existing decisions relating to the issues raised herein, I respectfully enclose herein as **Exhibit A** the Decision and Order issued today by Supreme Court, Albany County, denying another fiscal intermediary's ("FI") application for a preliminary injunction enjoining enforcement of the CDPAP Amendments, *see* SSL § 365-f, and implementation of RFP #20524. That Court found no likelihood of success on the merits of the FI's claims, including alleged violations of, *inter alia*, the Equal Protection Clause, Commerce Clause, Contracts Clause, and Bill of Attainder Doctrine. It further held, "[i]n light of the public interest in regulating the FI industry, reducing administrative costs, and using those savings to benefit Medicaid consumers, . . . [the FI's] claims of financial injury do not establish the requisite irreparable harm that would warrant the issuance of a preliminary injunction in its favor," and "the balance of the equities weighs in favor of denying [the FI's] application for a preliminary injunction." Exh. A p. 28.

Respectfully submitted,

/s/ Heather L McKay
HEATHER L. McKAY
Assistant Attorney General

cc: All parties (*via CM/ECF*)